

1 CLEMENT SETH ROBERTS (STATE BAR NO. 209203)  
croberts@orrick.com  
2 BAS DE BLANK (STATE BAR NO. 191487)  
basdeblank@orrick.com  
3 ALYSSA CARIDIS (STATE BAR NO. 260103)  
acaridis@orrick.com  
4 EVAN D. BREWER (STATE BAR NO. 304411)  
ebrewer@orrick.com  
5 ORRICK, HERRINGTON & SUTCLIFFE LLP  
The Orrick Building  
6 405 Howard Street  
San Francisco, CA 94105-2669  
7 Telephone: +1 415 773 5700  
Facsimile: +1 415 773 5759  
8

9 SEAN M. SULLIVAN (*pro hac vice*)  
sullivan@ls3ip.com  
10 COLE B. RICHTER (*pro hac vice*)  
richter@ls3ip.com  
11 LEE SULLIVAN SHEA & SMITH LLP  
656 W Randolph St., Floor 5W  
Chicago, IL 60661  
12 Telephone: +1 312 754 0002  
Facsimile: +1 312 754 0003  
13

14 *Attorneys for Defendant Sonos, Inc.*

15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA  
17 SAN FRANCISCO DIVISION

18 GOOGLE LLC,

Case No. 3:20-cv-06754-WHA

19 v.  
Plaintiff,

**DECLARATION OF GEOFFREY MOSS  
IN SUPPORT OF SONOS, INC.'S  
MOTION FOR LEAVE TO AMEND  
INFRINGEMENT CONTENTIONS  
PURSUANT TO PATENT L.R. 3-6**

20 SONOS, INC.,

21 v.  
Defendant.

Date: April 14, 2022

Time: 8:00 a.m.

Place: Courtroom 12, 19<sup>th</sup> Floor

Judge: Hon. William Alsup

22  
23  
24  
25 Complaint Filed: September 28, 2020

26

27

28

1 I, Geoffrey Moss, declare as follows and would so testify under oath if called upon to do  
2 so:

3 1. I am an attorney with the law firm of Orrick, Herrington & Sutcliffe LLP, counsel  
4 of record to Sonos, Inc. (“Sonos”) in the above-captioned matter. I am a member in good standing  
5 of the Bar of the State of California. I make this declaration based on my personal knowledge,  
6 unless otherwise noted. If called, I can and will testify competently to the matters set forth herein.

7 2. I make this declaration in support of Sonos’s Motion for Leave to Amend its  
8 Infringement Contentions Pursuant to Patent L.R. 3-6.

9 3. On February 3, 2022, Google disclosed its proposed construction for the term  
10 “playback queue” found in the asserted claims of the U.S. Patent Nos. 9,967,615 (the “‘615  
11 Patent”) and 10,779,033 (the “‘033 Patent”).

12 4. Attached as **Exhibit 1** is a true and correct copy of excerpts from an email and the  
13 attachment (Appendix A: Terms in Dispute) dated February 3, 2022 from Nima Hefazi to Cole  
14 Richter.

15 5. Attached as **Exhibit 2** is a true and correct copy of excerpts from an email dated  
16 February 3, 2022 from Nima Hefazi to Cole Richter, continuing the deadline to exchange expert  
17 testimony.

18 6. Attached as **Exhibits 3 and 4** are true and correct copies of excerpts from Sonos’s  
19 proposed amended infringement contentions for the ‘615 and ‘033 patents that show all of the  
20 proposed changes in red-line.

21  
22  
23  
24  
25  
26  
27  
28

1       7. Attached as **Exhibit 5** is a true and correct copy of an email dated February 24,  
2 2022, from Alyssa Cardis notifying Google’s counsel of Sonos’s intent to amend its infringement  
3 contentions to take into account Google’s new construction.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed this 2nd day of March, 2022 in Los Angeles, California.

MS

GEOFFREY MOSS